

MINUTES

Attendance

Members Present: Bruce Carson, Jonathan O'Keeffe

Members Absent: Eduardo Suarez

Planning Department Staff: Jonathan Tucker, Christine Brestrup

Planning Board Members: Denise Barberet

Others Participating: Jane Ashby (ZBA liaison)

Discussion

The meeting was called to order at 5:05 PM.

Mr. Tucker announced that the Planning Department had received a telephone call from Mr. Suarez explaining that his recent absences have been due to child care issues, but that he intends to resume attendance at Subcommittee and Board meetings beginning in February and to serve out the remainder of his term.

The Subcommittee approved the minutes from the 1/7/09 meeting.

Mr. O'Keeffe summarized that the goal of the meeting was to form a preliminary list of articles for consideration at the Spring 2009 Town Meeting for review by the Planning Board at its meeting later on 1/21. Mr. Tucker indicated that the target should be in the vicinity of three to five articles, with a mixture of substantive and technical articles, and reviewed the status of several of the issues in the Priority A section of the work list.

On the child care article, he was waiting for feedback from Roy Rosenblatt regarding whether the text of the article accurately captured the substance of the recent changes in State law. Further feedback is expected.

On the brownfields article, he indicated that he is currently working on a list of sites that are known to or believed to have contamination issues. There was discussion of exactly what the criteria should be for inclusion on a list of sites for which incentives would be provided, what form those incentives might take, and in what areas such incentives might be appropriate. Mr. Tucker discussed the idea of merging the types of incentives being considered for brownfields with the types of incentives that are being considered to replace the current Phased Growth article in the Zoning Bylaw, via the creation of a new Performance Standards article in the bylaw which would consolidate the various types of incentives that are currently scattered throughout the bylaw.

There was discussion over the issues surrounding the inclusion of properties in a brownfields list or zoning district. Ms. Brestrup indicated that property owners are often reluctant to have their properties classified in this way, even though the classification provides development incentives, because of the potential for negative perceptions which might be associated with such a classification. There was consensus that this made it problematic for the Town to unilaterally designate such properties. Mr. Tucker suggested that perhaps an opt-in system would be more appropriate, where property owners that felt they had site contamination issues would be able to propose mitigation and seek incentives when they applied for their permits. Ms. Brestrup stated that a licensed site assessment by a certified professional could be used to provide an objective standard to qualify mitigation incentives.

Other topics discussed on this issue included Ms. Barberet's view that it was desirable to base the level of incentives on the degree of cleanup that was achieved on the property, and Mr. Tucker's suggestion that it might be best to focus incentives on core developed areas (B-G, B-L, B-VC, and COM), at least initially.

Ms. Brestrup provided an update on the Planning Department's ongoing effort to prepare for the conversion of the official Zoning Map from its current paper version to a new digital version based on the Town's GIS system. The existing paper maps are largely based on USGS topographical data from the 1970s, and in many cases there is significant inaccuracy in elevations, location of aquatic features, and other elements. Stream locations were cited as a particular example, given that some streams have changed their location over time, some have been filled in, and others were not present on the original USGS maps. She has been working along with IT to catalogue these discrepancies and to prepare maps to help visualize the specifics of various changes that would result from the conversion. She presented several examples, including a small-scale map showing many stream locations across North Amherst, and large-scale maps illustrating details of specific changes that would result from the conversion.

Mr. Tucker discussed the upcoming aerial survey, which will use laser altimetry (LIDAR) in order to obtain elevation data that is significantly more accurate than the current data. He stated that there are several specific areas in town where the FPC District would be particularly impacted by the changes, and indicated that he would provide examples of these areas.

Mr. Tucker and Ms. Brestrup indicated that they have met with representatives of neighborhood groups in the Atkins Corner area to begin to discuss the types of zoning changes that residents felt might be desirable in that area.

The Subcommittee discussed a proposal for amendment to the dimensional regulations which would allow certain dimensional regulations (building coverage, lot coverage, and building height) in the R-G and R-VC districts to be modified upon receipt of a Special Permit, in an attempt to increase residential density in those core residential districts. Ms. Barberet and Ms. Ashby both expressed concern over the prospect of increasing density in the R-G district specifically, with Ms. Ashby stating that its proximity to the University gives it a distinct character, and that changes might be appropriate in some parts of R-G and not in others. She indicated that she might support the proposed changes in the R-VC district but not in the R-G district. It was her belief that the draft Master Plan emphasized increasing residential density only in the downtown and village centers and so did not support such increases in the R-G District. Mr. Tucker said that was not the case, and mentioned several possible changes in the language of the proposal to address some of the concerns raised by Ms. Ashby, including specifically the idea of removing the ability to modify the maximum building height, and also restricting the provisions to new construction rather than conversions. On the issue of allowing the changes only in R-VC, Mr. O'Keeffe indicated that the R-G district fills the same role in relation to the Town center that the R-VC districts do in relation to their corresponding village centers, and that the R-G and R-VC districts collectively represent the most intense residential uses in the Town, with R-G being more intense (with tighter dimensional regulations) than R-VC. He said that allowing variances in dimensional regulations in R-VC without also allowing them in R-G would increase density in the village centers without a corresponding increase in the Town center, which would be unusual. He also said that he felt that the proposal did raise significant issues, which would be difficult to resolve before Spring Town Meeting, and that it would be best to consider the proposal at a later date.

Mr. O'Keeffe moved to propose a list of articles to be presented to the Planning Board for consideration for Spring Town Meeting, to include: 1) the Main/Dickinson/High Street rezoning proposal, 2) the proposal to extend the Municipal Parking District, 3) the proposed changes to the language governing accessory uses relating to child care services, and 4) the proposed changes regarding the operation of taxi and limousine services under section 3.340.3 and as accessory uses. Included in the list to be presented to the Planning Board as priorities after Spring Town Meeting were the proposal to replace the Phased Growth article, proposals for incentives for brownfields development, proposals for rezoning in the Atkins Corner area, and the proposal for allowing modification of residential dimensional regulations that was discussed at this meeting. The motion for the proposed priority list passed by a vote of 2-0.

The meeting was adjourned at 6:53 PM. The next Zoning Subcommittee meeting was scheduled for 5:00 PM on February 4, 2009, in the Town Room at Town Hall.

Respectfully submitted,

Jonathan O'Keeffe, Subcommittee member

Minutes approved 2/18/09